

REMARKS

Claims 1, 3-7, 15, 16, and 18 are pending. Claims 2, 8-14, 17, and 19 have been canceled. Claims 1, 3-7, 15, 16, and 18 have been amended. No new matter has been introduced. Reexamination and reconsideration of the application are respectfully requested.

In the June 21, 2007 Office Action, the Examiner rejected claims 1-4, 8-11, and 16-19 under 35 U.S.C. §102 (b) as being anticipated by Kihara et al., U.S. Patent No. 6,262,915 (hereinafter Kihara). The Examiner rejected claims 5-7 and 12-15 under 35 U.S.C. §103 (a) as being unpatentable over Kihara in view of Klappert et al., U.S. Patent No. 4,942,551 (hereinafter Klappert). Applicants respectfully traverse the rejections in view of the claims, as amended.

Independent claim 1, as amended recites:

A performance information reproducing apparatus comprising:
a file storage device that stores a musical tone data file, in which musical tone information is recorded, and a plurality of media data files, in which a plurality of types of media information is recorded, together with a management file in which a plurality of reading manners of the musical tone data file and the media data files are recorded;
a reading manner specifying device that specifies a reading manner of the plurality of reading manners instructed by a user operation from the management file stored by the file storage device;
a reproduction data generating device that generates, based on said reading manner specified by said reading manner specifying device, reproduction data that designates the musical tone information of the musical tone data file to be reproduced and the media data file to be reproduced, using designation information in a same format as the musical tone information;
a reproduction data storage device that stores the generated reproduction data;
a reading device that reads the reproduction data stored by said reproduction data storage device in accordance with a reproduction clock for the musical tone information; and
a reproducing device that reads the media data file designated by the read reproduction data, and reproduces the musical tone information in the reproduction data and the media information in the media file in synchronism with each other.

The Kihara reference does not disclose, teach, or suggest the apparatus recited in independent claim 1, as amended. Unlike the apparatus specified in independent claim 1, as amended, Kihara does not disclose "***a reproducing device that reads the media data file***

designated by the read reproduction data, and reproduces the musical tone information in the reproduction data and the media information in the media file in synchronism with each other.”

Kihara is directed to a nonvolatile memory for managing files recorded on a memory card using a File Allocation Table (FAT) and for reproducing data from the nonvolatile memory.

(Kihara, 1:7-13) Kihara describes a management file which is used to store audio data (including mult-track) on a file system. However, Kihara fails to disclose, teach, or suggest “*a reproducing device that reads the media data file designated by the read reproduction data, and reproduces the musical tone information in the reproduction data and the media information in the media file in synchronism with each other.*” Accordingly, Applicants respectfully submit that independent claim 1, as amended distinguishes over Kihara.

Independent claims 16 and 18 recite limitations similar to those in independent claim 1, as amended. Accordingly, Applicants respectfully submit that independent claims 16 and 18 distinguish over the Kihara reference for reasons similar to those set forth above with respect to independent claim 1, as amended.

Claims 3-7 and 15 depend from independent claim 1, as amended. Accordingly, Applicants respectfully submit that claims 3-7 and 15 distinguish over the Kihara reference for the same reasons set forth above with respect to independent claim 1, as amended.

With respect to claims 5-7 and 15, the Klappert reference does not make up for the deficiencies of Kihara. The Klappert reference describes a technique for recording MIDI data in a sub-code of a compact disc (CD). However, the combination of Kihara and Klappert does not disclose, teach, or suggest “*a reproducing device that reads the media data file designated by the read reproduction data, and reproduces the musical tone information in the reproduction*

data and the media information in the media file in synchronism with each other.”

Accordingly, Applicants respectfully submit that claims 5-7 and 15 distinguish over Kihara in combination with Klappert.

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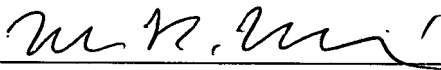
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In view of the foregoing remarks, Applicants believe that the application is in condition for allowance, and a favorable action is respectfully requested. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance should the examiner believe that such a telephone conference would advance prosecution of the application.

Respectfully submitted,

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